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Lawsuit filed over Bible camp

BY HEATHER SCHAEFER
REGIONAL EDITOR

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Three brothers who want to build a Bible camp on Squash Lake near Rhinelander have taken their case to a federal court.

Art, Randy and Wes Jaros filed a 53-page lawsuit Wednesday in the United States District Court for the Western District of Wisconsin claiming Oneida County, the town of Woodboro and the Oneida County Board of Adjustment have unconstitutionally prevented the use and operation of their proposed Bible camp "through their discriminatory laws and a four-year pattern of hostile, capricious and irrational actions."

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The brothers have been working since 2004 to

gain permission to build Eagle Cove Camp and Conference Center which they have described as a Bible camp that could be used as a conference center for adults when children's camps are not in session.

The project includes plans for a chapel, classrooms, a dining hall, lodging facilities, and a multi-purpose room/gymnasium.

Outdoor recreational facilities are also planned.

In July, the Oneida County Planning and Zoning Committee denied the brothers a permit to build the camp on the grounds a recreational camp is not a permitted use in the single family residential zoning district in which the property is located.

The brothers appealed to the Oneida County Board of Adjustment which last month upheld the committee's decision by unanimous vote.

In their complaint, the brothers say they have no recourse following the board of adjustment's ruling other than to seek judicial relief.

The Jaroses are claiming the county's refusal to allow the camp to exist in the planned location violates their right to freely practice their religion. They also say the county's decision violates the federal Americans with Disabilities Act since the camp intends to serve, among others, youth with medical disabilities.

The brothers are being represented by Storzer & Greene, a law firm with offices in New York and Washington D.C. that specializes in religious land use cases. Art Jaros, a practicing attorney in Illinois, is also acting as counsel for the plaintiffs.

The plaintiffs claim the county and the town allow many other assembly and institutional uses, such as schools and libraries, but are unjustly prohibiting the Bible camp from the jurisdiction.

"Christian Bible camp ministries are a vital form of religious exercise, separate and distinct from organized churches," the complaint states.

According to plaintiff's attorney Roman P. Storzer, religious land uses are protected from undue burdens, discrimination and arbitrary treatment under federal and state constitutions, as well as the federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA).

"Religious exercise does not only take place in church," Storzer said. "Congress

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specifically passed RLUIPA to protect 'any exercise of religion,' whether it happens in a church, school, home or a Bible camp. It is not the government's job to tell believers how and where they may worship."

Since "an important aspect of the Bible camp will be to specifically minister to youth suffering from serious disabling medical conditions that preclude them from attending many other established Bible camps," the brothers are also raising a claim under the federal Americans With Disabilities and Rehabilitation Acts.

"The plaintiffs believe that many disabled children are unable, because of their disabilities, to find access to Bible camp services in other locations. Under those circumstances, the defendants' actions in refusing to make a reasonable accommodation to their zoning scheme to permit the plaintiffs to operate the Bible camp prevents seriously medically disabled children from accessing Bible camp services by reason of their disabilities, in violation of the Americans with Disabilities Act and the Rehabilitation Act," the complaint states.

The complaint also states that the county denied the camp's petition for rezoning "based on its position in 2006 that the Jaroses could achieve 'most or all of their stated objectives' under current zoning - which led them to spend hundreds of thousands of dollars and several years applying for a conditional use permit for a use that the county decided this year was not permissible."

The brothers are asking the federal court to order a Conditional Use Permit be granted. They are also seeking unspecified compensatory and punitive damages as well as payment of their legal expenses.

The defendants have 21 days to respond to the lawsuit.

Tell us what you think...

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Judith wrote on Mar 12, 2010 9:44 AM:

" Those believing this endeavor would not harm need to research the Religious Land Use and Institutionalized Persons Act (RLUIPA) which gives religious institutions SPECIAL RIGHTS to evade all other law that no other secular group nor individual enjoy. It has cause chaos and destruction across the nation. Some of us know 1st hand how detrimental it can be to residential neighborhoods and to the lives of those truly seeking help. "

Kyle wrote on Mar 12, 2010 9:40 AM:

" The CUP was denied after extensive opposition during a public hearing. Again, this is how the process is supposed to work. Even though OC may have predicted that there would not be a problem in issuing the CUP before the public hearing, the public hearing brought about enough opposition such that it needed to be taken into consideration. Thus, the CUP was denied. Not unconstitutionally in my mind. Just because OC gave an opinion before the process played out, it doesn't mean that is how it was absolutely going to work out in the end. "

mike wrote on Mar 12, 2010 8:11 AM:

" I think it's no body bussiness what you do on your own land.. preety good when someone on zoning tell you what color your roof has to be before they give you a permit.. this is a free Land . all are equal!! if they want a bible camp .so be it. Jesus said love one another..if they were building a play boy club.. zoning would approved it cause it money in their pockets .. "

concerned woodboro wrote on Mar 12, 2010 7:08 AM:

" I live in woodboro and have seen the plans for this it is huge and does not belong in a single family zoned area how would you like to look out your door and see it. I dont want to and others that I have talked to dont either. May the county and Gov. win this one for the woodboro people. I hope so. "

jan wrote on Mar 12, 2010 1:50 AM:

" This case reminds me of the little kid that is told that he can't behave in a certain way and cries "I'm going to get my

daddy and he will make you let me have my way. You just wait and see."

If we have to abide by the zoning rules then so should the Jaros brothers. "

lake resident wrote on Mar 12, 2010 1:49 AM:
" All you people that are so against the zoning laws, they are there to protect you also. They prevent things like a landfill being built next door to you and prevent "houses of questionable repute" from being your next door neighbor or prevent a noisy dirty factory from being built next door to you. There are places in our society for almost everything. And there needs to be an order to our land development. And a camp of any sort does not belong in a residential neighborhood. "

lake resident wrote on Mar 12, 2010 1:47 AM:
" The Jaros brothers are proving why we don't especially care for the "big city" ideas here. We want to live with nature and protect our environment. We have no problem with anyone's religion. But that is not the issue. They want to put a camp in the middle of a residential neighborhood.

I honestly feel that the whole purpose of this religious camp is to take that property off the tax roles and provide the Jaros brothers with a non taxable income in their retirement. They plan to teach in this camp but all the funds will be recycled thru their trust. Its very convenient that one brother is a lawyer, the second an accountant to find all the loopholes to their benefit. "

addell wrote on Mar 11, 2010 11:11 PM:
" their right to practice their religion isnt in question..its the fact that the land is zoned for single family dwellings..not a camp..and how the brothers are trying to say that its discrimination against handicapped...well thats just dumb. perhaps another location thats zoned for a childrens camp would be better? "

Harry Skye wrote on Mar 11, 2010 8:56 PM:
" Just review the drawings of the Jaros' proposed camp on Squash Lake with hundreds of feet of terraced lake frontage--neither the DNR nor any citizen of Oneida County, let alone God, would approve of such desecration of lake shoreline. "

cm wrote on Mar 11, 2010 8:10 PM:
" Someone, please...cry me a river. "

Johnny wrote on Mar 11, 2010 7:48 PM:
" Hopefully this is something of a wakeup call for zoning control of lakeside development. At the rate lakefront property has been developed in the last 20 years, there are few quiet and natural lakes left in the Northwoods. The zoning laws are in place to protect owners' interest and to protect land from uncontrolled development - protect what's left for future generations! First you had the big houses, the boats, jet skis and noise, the Eurasian milfoil, and now you've got the fundies looking to invade and tear up your natural surroundings, ready to proselytize you, your trees, water and fish. Where does it stop? Good for the county and the community for taking a stand! "

Joe wrote on Mar 11, 2010 6:52 PM:
" The "camp is not a permitted use in the single family residential zoning district in which the property is located."

Why do they expect a special exemption because they claim their enterprise is a religious one? Hopefully, they lose and the planning rules hold. "

ex hodag wrote on Mar 11, 2010 6:21 PM:

" Zoning laws have been put into place to protect the people. If they allow a bible camp what is to stop a developer from requesting a use permit or re-zoning to put in a commercial development. There is plenty of land available for these people to establish their camp. "

Tyler wrote on Mar 11, 2010 6:17 PM:

" Let's be honest. The only positive thing religion ever gave us is a standardized calendar. On a side note, would the people on this post who "support freedom of religion" if the center was to be for Islamic activities? That's what I thought, hypocrites. "

bobby sox wrote on Mar 11, 2010 4:32 PM:

" Build it somewhere else.
This is not exactly what I would call being a good "witness" with your law suit.
If you win,you just created a bunch of local enemies,so are you really winning?
I would not send my handicapped child there.
It is not zoned for this camp you guys. I love the Lord but I hope that you lose this case. You are wrong. "

Doug S. wrote on Mar 11, 2010 4:28 PM:

" Ryan,

I think the people trying to put a camp on property that is not zoned for such are a bunch of boneheads. "

Doug S. wrote on Mar 11, 2010 4:26 PM:

" It's zoned single family residential for a reason. When the lake residence want to go to sleep at 10:30, they're not listening to 40 kids sing "Kumbaya" from across the lake. They're doing what any humble christian does...FIGHT!
Makes sense, doesn't it? And if any organization has the money to fight it, it's the church. They've stolen peoples money for centuries.
See what religion does? This is a good example. Get rid of all of it. "

jim wrote on Mar 11, 2010 4:11 PM:

" what part of the phrase single family zoning was not clear to these clowns when they bought the property? and here is another reason why the county should turn them down - they will claim it is a church and expect to pay no property taxes even as they expect county services. "

Ryan wrote on Mar 11, 2010 3:54 PM:

" This country was founded so that people could escape religious persecution and practice religion freely without being criticized and obstructed by the government.

The people that wont let them build their Bible camp are a bunch of boneheads. "

butch wrote on Mar 11, 2010 3:26 PM:

" if the federal courts find in the brothers favor it will be setting a dangerous precedence that will have serious consequences for not only this area but for all over the united states. and if they lose they will have to pay all the fees-- wonder who that is? "

Duh wrote on Mar 11, 2010 3:21 PM:

" Was the conditional use permit denied for constitutional reasons? That's what the court will decide and the smart money says they will say no. The board told these guys in 06 that they would have no problems and then changed their stance due to aggressive complaints from lake residents. They don't have a good reason to fall back on for their change in stance other than the griping of elderly people. The court is going to find reason to believe there's discrimination.

All of this is so stupid, this camp would have been nothing

but a good thing for the area. People can't look past the end of their own noses (or docks as the case may be). "

Sharon wrote on Mar 11, 2010 3:05 PM:

" It would seem that if the brothers Jaros were truly concerned with the need for a Bible Camp (or camp for the disabled) they would have sold the property in question for single family development (as it's zoned)& purchased other, conforming, property. If they had done this, their camp could already be in operation. It could even be located away from Oneida County & Woodboro Township...two government bodies they're so dissatisfied with. "

Right On Doug S. wrote on Mar 11, 2010 3:04 PM:

" Anyone taking bets on whom will prevail? My money is on the Defendants. I hope the lawyers representing the Jaros brothers took the case on contingency otherwise the Jaros brothers will be throwing away their money, enriching more blood sucking lawyers who will take any case so long as they are paid well (or think they will be). "

Rhinelander Resident wrote on Mar 11, 2010 3:03 PM:

" Though I believe the Jaros' bible camp is a good idea, I don't think this is the correct place to do it. This doesn't seem to be a fight for religious freedom, but a fight for power. The county isn't telling them they can't practice their religion or anything like that, they are simply holding up the laws that already exist that the proposed land is not to be used for something in the nature of a bible camp. Is this really about religion or is this about personal gain? I think some more questions should be asked here. "

Terry wrote on Mar 11, 2010 3:01 PM:

" To power of MONEY:
Nobody in their right mind can expect to have Peace and Quite if they buy a home on a lake. Do what I did, buy 40 acres and live in the woods. Then I take my Jet Skis (2)to your lakes and tear it up. See you this summer on Your Lake. "

Sue wrote on Mar 11, 2010 2:55 PM:

" As I said before just think about all the money the Town of Woodboro and Oneida County residents are going to pay. Just had a nice tax increase for the school ref. now will have to raise taxes again to pay for the attorney fees. I wonder when it stops "

Sue wrote on Mar 11, 2010 2:52 PM:

" As I said before just think about all the money the Town of Woodboro and Oneida County residents are going to pay. Just had a nice tax increase for the school ref. now will have to raise taxes again to pay for the attorney fees. I wonder when it stops "

jdog wrote on Mar 11, 2010 2:51 PM:

" Viva la bible camp! I hope they get their conditional use permit just to prove to the county that this isn't a fiefdom and they are not the lords of the local populace. "

Equally Concerned wrote on Mar 11, 2010 2:21 PM:

" Jaros Brothers come to Florida they will let you build your camp, Fort My7ers to be exact. Having a Bible Camp in or near Rhinelander might hinder the bars you do have a few there right? Seems to me last time I went there there was one on every hill so it seemed. "

Kyle wrote on Mar 11, 2010 1:36 PM:

" Cold Hard Truth,
you fail to notice that the legal reason for prohibiting the camp is that it is zoned for single family use with the proposed use needing a conditional use permit. The legal process took place, and the conditional use permit was denied, which is how the system is set up to operate.

Completely legal in my eyes. Thank you Oneida County for standing on your own two feet and enforcing zoning laws that us citizens helped develop in the first place. "

Bobby Peru wrote on Mar 11, 2010 12:57 PM:

" We have all of the camps we need. Someone somewhere can accomodate these children without subjecting them to religion they may or may not be interested in. Is this proposed camp free of charge to the disabled campers? Hmm. Stand on you own too feets, Jaros brothers. "

Doug S. wrote on Mar 11, 2010 12:48 PM:

" Maybe God does not want another bible camp? Maybe he's embarrassed of how "his" creatons have been destroying "his" planet and up and he's disgusted with how we treat eachother.

Maybe we should have an Aesop's fairy Tales camp. They teach good lessons and are just as credibe as the bible.

Let's try to get Religion out of this counrty not encourage it. Religion proves how stupid humans really are. "

Dwayne wrote on Mar 11, 2010 12:45 PM:

" I am totally new to this situation. However, the county looses this one and its citizens get to pay the bill which will be easily 6 figures. Huge mistake by the local power elite. Huge mistake. "

POWER OF MONEY wrote on Mar 11, 2010 12:32 PM:

" HERE'S JUST ANOTHER EXAMPLE OF THE RICH BEING TOLD NO, AND THEM NOT LIKING IT! WE HAVE ZONING LAWS FOR A REASON. I LIVE ON WATER AND WOULD NEVER WANT ANOYONE TO BUILD A CAMP OF ANY KIND NEXT TO ME. WE LIVE ON THE WATER FOR PEACE AND QUITE, NOT A BUNCH OF PEOPLE YELLING AND RUNNING DOZENS OF JET SKIS ALL OVER THE PLACE. PUT THE CAMP IN THE MIDDLE OF 40 ACRES, WHERE YOU WON'T INTRUDE ON OTHER PEOPLE. SELL THE PROPERTY AND BUILD ELSEWHERE! "

Rob R wrote on Mar 11, 2010 12:10 PM:

" Thankfully 56 men didn't "give up" and stood up for freedom and righteousness
Delaware: George Read Caesar Rodney Thomas McKean
Pennsylvania: George Clymer Benjamin Franklin Robert Morris John Morton Benjamin Rush George Ross James Smith James Wilson George Taylor
Massachusetts: John Adams Samuel Adams John Hancock Robert Treat Paine Elbridge Gerry
New Hampshire: Josiah Bartlett William Whipple Matthew Thornton
Rhode Island: Stephen Hopkins William Ellery
New York: Lewis Morris Philip Livingston Francis Lewis William Floyd
Georgia Button Gwinnett Lyman Hall George Walton
Virginia: Richard Henry Lee Francis Lightfoot Lee Carter Braxton Benjamin Harrison Thomas Jefferson George Wythe Thomas Nelson, Jr.
North Carolina: William Hooper John Penn Joseph Hewes
South Carolina: Edward Rutledge Arthur Middleton Thomas Lynch, Jr Thomas Heyward, Jr
New Jersey: Abraham Clark John Hart Francis Hopkinson Richard Stockton John Witherspoon
Connecticut: Samuel Huntington Roger Sherman William Williams Oliver Wolcott
Maryland: Charles Carroll Samuel Chase Thomas Stone William Paca "

George wrote on Mar 11, 2010 11:58 AM:

" Its to bad with the downturn in the economy we are spending our tax money to fight a group that wants to invest in our local economy. The county needs to find ways to make good projects like this happen. Zoning and land use plans are killing our area. "

Resident wrote on Mar 11, 2010 11:06 AM:
" Wow, these guys do not give up. This is getting ridiculous. "

Cold Hard Truth wrote on Mar 11, 2010 11:05 AM:
" The Jaros brothers are going to win this suit. The county was acting in the interest of numerous Squash lake residents with fairly valid concerns, but they were not acting legally or ethically. A body of government must be impartial and evaluate applications objectively and upon merit alone. That's what the federal court system is going to do, because they really couldn't care less if the people of Squash lake want a bible camp or not. If there's no legal reason to prohibit the camp (and there is not), the court will not allow such discriminatory prohibition.

That said, I hope the Jaros brothers win their compensatory and punitive damages and then walk away from the project. They should build in an area much more progressive than ours where they will not have a dysfunctional and corrupt local government with which to fight. "

No Conditional Use wrote on Mar 11, 2010 10:47 AM:
" There are laws for everything. I get tired of hearing discrimination. This is about a building(s) to practice religion and to accommodate those with disabilities, nothing to do with religion and disabilities. A place to go to. It's not saying you can't, just not there, single family seems to be the key! So what if you don't have a lake, that shouldn't keep you from having your bible camp? We live in the beautiful northwoods, find land where you can. There is a reason for zoning laws, nobody says you can't, it's where you can. "

gdog wrote on Mar 11, 2010 9:45 AM:
" What don't the Jaros brothers understand regarding SINGLE FAMILY ZONING? The board will be setting a precedence by changing it for them. This is a poor choice of land use. The board would be foolish to fold to this lawsuit when they are obviously in the right. "

Bill wrote on Mar 11, 2010 9:20 AM:
" It's on like Donkey Kong! Stuff just got real! "

former resident wrote on Mar 11, 2010 8:47 AM:
" I've read their proposal, and all the meeting minutes from Oneida County's Zoning people.

This dispute has nothing to do with Religious Freedom, but the Janos family wants us to believe so..... It's strictly a zoning fight, as the County (and most of their neighbors.....) don't think this camp would be a good fit in this area.

They would probably be approved in a different location though..... "

Sherry wrote on Mar 11, 2010 8:45 AM:
" More power to the Jaros brothers! "

The comments above are from readers. In no way do they represent the views of the Rhinelander Daily News.

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